

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SAM PANAMA TRADING CO. LTD. and :
SAMODA INTERNATIONAL CORP., :
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: :

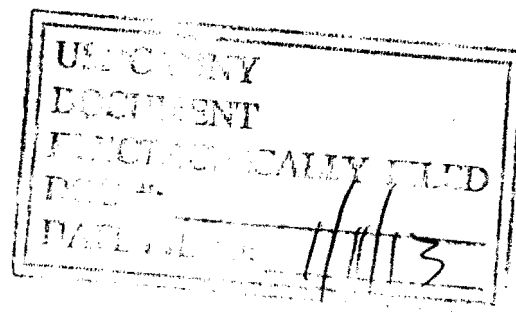
Plaintiffs, :
: :

-v- :
: :

VIACOM INTERNATIONAL, INC. and MTV :
NETWORKS, :
: :

Defendants. :
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: x

JED S. RAKOFF, U.S.D.J.



12 Civ. 7082 (JSR)

ORDER

Plaintiffs Sam Panama Trading Co. Ltd. and Samoda International Corp. bring this action against Viacom International, Inc. and MTV Networks for breach of contract, fraud, and fraudulent inducement. Plaintiffs, with permission of the Court, have filed an Amended Complaint. Defendants then filed a partial motion to dismiss the Amended Complaint, seeking dismissal of the fraud and fraudulent inducement claims.

The Court hereby grants that partial motion to dismiss, with prejudice. The Court concludes that plaintiffs' fraud and fraudulent inducement claims are impermissibly duplicative of their claim for breach of contract. The Court also concludes that granting leave to further amend the complaint would be futile, since, based on plaintiffs' opposition papers and the representations of counsel at oral argument, any additional

allegations either would not cure the impermissible duplicativeness, or would be too speculative to make out a plausible entitlement to relief. An opinion explaining the reasons for this ruling will issue in due course.

The Clerk of the Court is directed to close document number 14 on the docket of this case.

SO ORDERED.

Dated: January ~~10~~¹⁰, 2013
New York, NY


JED S. RAKOFF, U.S.D.J.